

MTSA/ISPS POLICY ADVISORY COUNCIL

August 2, 2005

Policy

Implementation of Passenger Vessel Association's Amended ASP 58-05

FINAL

Issue (58-05): What steps will users of the Passenger Vessel Association (PVA) Alternative Security Program (ASP), Amendment 1 need to follow in order to be in compliance?

Policy:

On March 16, 2005, PVA's amended ASP was accepted and approved. All PVA members were to be operating under Amendment 1 by May 16, 2005. When providing their amendment to their members, PVA gave an explanation of how owners and operators must implement the program. If a PVA member before March 16, 2005, a vessel would be expected to demonstrate the following :

- 1.) Familiarity with the changes included in the amended ASP,
- 2.) Completion of the new assessment forms and inclusion of the Appendix B actions,
- 3.) Completion of the Emergency Contact List,
- 4.) Certificate of membership for the current year, and
- 5.) Documentation of all drills, exercises, and training.

PVA members are still required to keep the following documents onboard or have them available for Coast Guard inspectors upon request: the PVA Industry Standard (amended ASP), Coast Guard correspondence, and PVA-issued certificate of membership. Adherence to these guidelines will be verified during the required annual, periodic, or inspections for certification that Coast Guard inspectors would perform.

A portion of these mandatory instructions calls for a member of the vessel and/or facility, preferably the Company Security Officer to conduct a Vessel Security Assessment (VSA) or a Facility Security Assessment (FSA) in order to determine security strengths and vulnerabilities. It is the intent of the amended ASP that the vessel or the facility conduct these security assessments upon receipt of the Amendment and implement actions outlined in Appendix B of the amended ASP. Since this procedure was overhauled in the amended ASP, it is imperative that the vessel or facility reassess their operation, capturing their vulnerabilities and countermeasures in a Security Assessment Report. The Security Assessment Report is prepared by the individual PVA member and should focus on the unique design characteristics and operations of a particular vessel or the facility the vessel moors alongside. It should list the existing security measures, the security vulnerabilities found during the assessment along with mitigation strategies and/or countermeasures that a vessel or facility is following to reduce the threat, as well as the evaluation of key vessel or facility operational measures being followed. A complete listing of the items which are required to be contained in the assessment report may be

found in the “Security Assessment Report” section of the chapter entitled “Plan Outline” of the amended ASP. In addition to this assessment report being valuable when conducting required internal security audits of the vessel or facility, it provides a starting point where Coast Guard inspectors may begin their compliance inspections, to be done in conjunction with normally scheduled inspections.

Each vessel or facility is expected to conduct drills, exercises and audits in accordance with the approved ASP timelines and guidance. A vessel that has implemented the amended ASP while conducting a review of the security program in place may be considered to have completed a satisfactory audit for the year when the amended assessment is conducted. Such vessels will need to follow the ASP’s directions for completing audit reports and notifications. In order to gain credit for this audit, the vessel would need to identify deficiencies (or identify that no deficiencies were found) with the security program, uncover the reasons why such deficiencies exist, and list ways the vessel will correct the implementation failures.

The Coast Guard does not intend to make special vessel visits to verify compliance with the amended PVA ASP. Coast Guard inspectors will verify implementation during a normally scheduled inspection (e.g. annual safety exams, deficiency follow-up visits, etc.).

The Coast Guard will work cooperatively with PVA members while verifying compliance with the amended ASP and stress the importance of conducting additional assessments if all vulnerabilities are not addressed by the vessel/facility owner or operator.

In general, if Coast Guard inspectors determine a need to amend an ASP, they shall route their request to COMDT (G-MP) thru their chain of command for review. Deficient vessel specific assessments (e.g. not fully completed, missing vulnerabilities and/or mitigating strategies) are not considered amendments and Coast Guard inspectors should work cooperatively with the vessel CSO and/or facility FSO to address the deficiency.